IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

CHARLES X. MARSHALL, :

:

Plaintiff,

:

vs. : CIVIL ACTION 06-00125-KD-B

:

PRISON HEALTH SERVICES, et al., :

:

Defendants.

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) is ADOPTED as the opinion of this Court. It is ORDERED that this action be and is hereby DISMISSED with prejudice for failure to prosecute and to obey the Court's Order.

DONE this <u>18th</u> day of August, **2008**.

/s/ Kristi K. DuBose

KRISTI K. DuBOSE

UNITED STATES DISTRICT JUDGE